

From: Sayre, Dennis
To: "Leandro Garcia"
Subject: Howard F. Curren - Tampa
Date: Tuesday, March 05, 2019 12:20:00 PM

Good afternoon Mr. Garcia,

Region 4 received a complaint last week, also provided at this link:
https://www.peer.org/assets/docs/fl/2_4_19_PEER_Tampa_complaint.pdf
Are you the right person to discuss this facility with EPA?

Dennis J. Sayre | Acting Chief
NPDES Permitting and Enforcement Branch | Municipal & Industrial Enforcement Section
(404) 562-9756

Mailing Address:
EPA - Water Protection Division
Attn: Dennis Sayre
61 Forsyth Street SW, 9T25
Atlanta, Georgia 30303

From: [Garcia, Leandro](#)
To: [Sayre, Dennis](#)
Cc: [Melnick, Benjamin](#)
Subject: RE: Howard F. Curren - Tampa
Date: Tuesday, March 05, 2019 2:38:06 PM
Attachments: [image001.png](#)

Hi Mr. Sayre,

I along with a few of my staff would be able to discuss this facility with EPA. Please let me know what would work best for you in terms of date and time and we will work to accommodate everyone's schedule. I have also copied Benjamin Melnick, Deputy Director of the Division of Water, so he is aware of the upcoming discussion.

I look forward to hearing from you in terms of scheduling.

Thanks,

Leo



LEANDRO GARCIA

Florida Department of Environmental Protection
Division of Water Resource Management
Water Compliance Enforcement Program
Program Administrator
Leandro.Garcia@FloridaDEP.gov
Office • 850 245-8584 • ext. 58584

From: Sayre, Dennis <Sayre.Dennis@epa.gov>
Sent: Tuesday, March 5, 2019 12:21 PM
To: Garcia, Leandro <Leandro.Garcia@FloridaDEP.gov>
Subject: Howard F. Curren - Tampa

Good afternoon Mr. Garcia,

Region 4 received a complaint last week, also provided at this link:

<https://clicktime.symantec.com/34fGN2h5pwbpWfuYBfKLir7Vc?>

[u=https%3A%2F%2Fwww.peer.org%2Fassets%2Fdocs%2Ff2_4_19_PEER_Tampa_complaint.pdf](https://www.peer.org/assets/docs/F2_4_19_PEER_Tampa_complaint.pdf)

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Atlanta, Georgia 30303

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From: [Yeargan, Mary](#)
To: [Sayre, Dennis](#)
Cc: [Vazquez, Pamala](#); [Melnick, Benjamin](#); [Garcia, Leandro](#)
Subject: Howard F. Curren
Date: Wednesday, March 13, 2019 2:46:18 PM
Attachments: [image001.png](#)
[City of Tampa PEER Summary \(002\).docx](#)

Dennis,

Thank you for reaching out to us today regarding the Howard F. Curren facility. As promised, attached is a summary of our discussion. If you have additional questions about this or any other facility, please feel free to give me a call.

Regards,

Mary



Mary Yeargan, PG

District Director
Southwest District
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EPA added: Attachment to 3-12-2019 email from Ms. Yeager (FEDP) titled "Howard F. Curren"

The Southwest District received an inquiry from the Tampa Bay Times on Feb. 4 regarding the attached PEER press release. Below are the allegations from PEER, and the Department's corresponding actions:

PEER: There have been 288 sanitary sewer overflows since January 2012 and 95 just since its latest permit was issued in 2015. However, DEP has taken no action on these violations even though raw sewage contains disease-causing pathogens that imperil anyone exposed;

We have reviewed the reports and found there were 257 SSOs since 2012 (103 of this total occurred since 2015). The volume spilled over 7 years was an estimated 41 million gallons, 25% of that spill volume discharged to surface water. The volume processed by the facility over 7 years is approximately 153 billion gallons. The volume of SSOs is less than 0.027% of the entire volume of waste water collected over the 7 year period of time.

The Department has taken the following enforcement actions relative to the city of Tampa's SSOs:

- In February 2018, a short-form consent order was issued in response to discharges related to Hurricane Irma. The city chose to perform in-kind improvements to their facility in lieu of paying a penalty. The in-kind improvements included purchasing additional generators and bypass pumps, to assist during wet weather events, which totaled approximately \$656,000.
- In September 2018, the Department issued a short-form consent order in response to a 28,000-gallon discharge. The city paid \$3,000 in penalties.
- Currently, the Department is planning to issue a Compliance Assistance Offer letter to the city of Tampa. The city has had several discharges in the month of January and the Department is asking for solutions to avoid these discharges in the future.

PEER: The plant pumps out effluents more than six times the maximum nutrient-enrichment level for saltwater receiving bodies that give rise to factors aggravating red-tide outbreaks; and

The reference is to an analytical test called algal growth potential (AGP) which is not a rule based criteria and one would never expect a waste water discharge to meet this criteria. Red Tide was not a problem in Hillsborough Bay, so this association is not fact based.

The city of Tampa is required to sample every day for a variety of parameters, including nitrogen and phosphorus. The Grizzle Figg Act (for Tampa Bay) allows for phosphorus waivers; when phosphorus is determined to not be the limiting nutrient. In the past 7 years, the city has had three exceedances for total nitrogen. The city is required to keep their nitrogen levels for a single daily sample at or below 6 mg/L. In 7 years they took 2555 daily samples, with only three exceedances. On 7/31/2015, the single sample result was 6.03; on 8/31/2017, the single sample result was 8.8; and on 9/30/2017, the single sample result was 8.2. The department used enforcement discretion based on the infrequency of the exceedances.

The limit for nitrogen is based on a total maximum daily load established by the Nitrogen Consortium which works in conjunction with the Tampa Bay Estuary Program. The nitrogen consortium is a highly

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successful program. Tampa Bay is attaining and exceeding all their nutrient goals and is no longer impaired for nitrogen.

PEER: According to U.S. Environmental Protection Agency (EPA) records, the plant has been in noncompliance with its permit for 6 of the past 12 quarters and in "Significant Noncompliance" for 2 of the past 12 quarters. Most all the violations concern effluent exceedances, as opposed to reporting lapses, and these exceedances generally involve chemicals hazardous to human health, principally bromoform or dibromochloromethane.

Based on the last three quarters of effluent data, there were violations for pH and toxicity as reported in EPA's ECHO database. The ECHO database is a snapshot in time and is not updated to report follow up actions taken by DEP or the facility. The DEP provides a Quarterly Non-Compliance Report (QNCR) to EPA describing how the violations were resolved.

The following is an explanation of the violations and their resolution for the last three quarters.

pH is continuously monitored and should be between 6.5 and 8.5 standard units. Here are examples of pH violations:

6/11/2018 1:15am-2:20am (55 minutes) pH 6.5 down to pH 6.3

9/05/2018 4:49am-5:14am (25 minutes) pH 6.5 down to pH 6.3

For pH, we require evaluation and recommendations for no further violations. One of these violations was caused by an electrical failure. The second was caused by an unanticipated ammonia influx to the plant. They are purchasing an ammonium sensor for the inflow so they can better adjust their treatment train so the pH will not have a violation.

For the toxicity violation, we required two follow up samples for each of the two toxicity failures, *as required by permit*. All four of the follow-up samples passed toxicity requirements, therefore, the violations were resolved.

In 2014, the Department executed a consent order with the city of Tampa related to their exceedances of dibromochloromethane (DBCM). In 2015, the facility had significant non-compliance for dichlorobromomethane (DCBM), which resulted in an amendment to their consent order. To comply with the CO they did an evaluation (model) of the receiving water body and their effluent. This was submitted to the DEP and, based on the study, the facility was found to be eligible for a mixing zone for effluent discharge under their NPDES permit. This is allowed by Rule 62-4.244, FAC.

The DBCM mixing zone has a radius of 1.17 meters, total surface area of 4.3 square meters

The DCBM mixing zone has a radius of 1 meter, total surface area of 3.14 square meters

The city came into compliance with the permit, once revised to include the mixing zone, and the consent order was closed 2/2/2017.

Parameter	Max Daily Conc. (ug/L)	Average Daily Conc. (ug/L)	Actual limit
Bromoform	7.9	5.1	360 ug/L (aa)
Chlorodibromomethane	40	28	34 ug/L (aa)
Chloroform	51	32	470.8 ug/L (aa)
Dichlorobromomethane	38	32	22 ug/L (aa)
2,4-Dinitrophenol	5.9	5.83	14.26 mg/L
2,4-Dinitrotoluene	0.87	0.86	9.1 ug/L (aa)
2,6-Dinitrotoluene	0.69	0.68	NA
4-Nitrophenol	5.9	5.83	NA
Anthracene	0.95	0.94	101 mg/L
Benzo[a]pyrene	0.94	0.93	0.031 ug/L (aa)
Bibeno(a,h)anthracene	0.95	0.94	0.031 ug/L (aa)
Hexachlorobutadine	0.95	0.94	NA
Hexachloroethane	0.81	0.8	NA
Lead	2.5	2.2	8.5 ug/L
Nickel	3.6	3.3	8.3 ug/L
Selenium	5.4	5.1	71 ug/L
Zinc	26	19.3	86 ug/L
Copper	3.8	2.3	3.7 ug/L
Mercury	0.00089	0.00057	0.025 ug/L
Cyanide	12	10.6	1 ug/L
Phenolics	54	35	

